

MINUTES

MONTANA SENATE 62nd LEGISLATURE - REGULAR SESSION

COMMITTEE ON BUSINESS, LABOR, AND ECONOMIC AFFAIRS

Call to Order: Chair Joe Balyeat, on March 16, 2011 at 9:00 AM, in Room 422 Capitol

ROLL CALL

Members Present:

Sen. Joe Balyeat, Chairman (R)
Sen. Frederick (Eric) Moore (R)
Sen. Carmine Mowbray (R)
Sen. Donald J. Steinbeisser (R)
Sen. Mitch Tropila (D)
Sen. Gene Vuckovich (D)

Members Excused: Sen. Verdell Jackson, Vice Chairman (R)
Sen. Tom Facey (D)
Sen. Sharon Stewart-Peregoy (D)
Sen. Bruce Tutvedt (R)
Sen. Jonathan Windy Boy (D)

Members Absent: None

Staff Present: Linda Keim, Committee Secretary
Pat Murdo, Legislative Branch

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: HB 258, 3/8/2011; HB 531, 3/8/2011; HB 555, 3/8/2011

HEARING ON HB 258

Opening Statement by Sponsor:

00:01:10 Rep. Champ Edmunds (R), HD 100, opened the hearing on HB 258, Revise definition of guest ranch.

[**EXHIBIT\(bus59a01\)**](#)

Proponents' Testimony:

00:02:34 Sterling Miller, owner of Dunrovin Guest Ranch, Lolo

[**EXHIBIT\(bus59a02\)**](#)

Opponents' Testimony:

00:05:52 Jim Carlson, Montana Public Health Officers Association (MPHOA), Montana Environmental Health Association (MEHA)

Informational Testimony: None

Questions from Committee Members and Responses:

00:11:34 Chairman Balyeat

00:12:10 Ms. Murdo, LSD

[**EXHIBIT\(bus59a03\)**](#)

00:12:25 Chairman Balyeat

00:12:43 Sen. Mowbray

00:12:57 Mr. Carlson, MPHOA

00:13:28 Chairman Balyeat

Closing by Sponsor:

00:14:04 Rep. Edmunds

00:14:46 Sen. Tropila, without objection, further questions

00:15:03 Rep. Edmunds

00:15:35 Mr. Miller

00:15:58 Sen. Vuckovich

00:16:20 Sen. Tropila

00:16:45 Mr. Carlson

00:17:14 Sen. Tropila

00:17:25 Rep. Edmunds

00:18:29 Chairman Balyeat

00:19:24 Sen. Moore

00:19:30 Sen. Steinbeisser

00:19:35 Chairman Balyeat

00:20:25 Ms. Murdo

HEARING ON HB 531

Opening Statement by Sponsor:

00:20:35 Rep. Steve Fitzpatrick (R), HD 20, opened the hearing on HB 531. Revise civil liability for multiple defendants.

EXHIBIT(bus59a04)

Proponents' Testimony:

00:29:07 Kiely Keane, Attorney, Crowley-Fleck Law Firm, Billings Clinic

EXHIBIT(bus59a05)

00:35:51 Mark Taylor, Montana Hospital Association (MHA); also speaking for Mike Foster, St. Vincent, St. Patrick and Providence Hospitals; and Bill Warden, Bozeman Deaconess, St. Peter's Hospital

00:38:11 Erin MacLean, Montana Medical Association (MMA)

00:39:37 Dick Brown, President, MHA; also representing small rural hospitals

00:36:15 Sen. Facey arrived.

Opponents' Testimony:

00:40:37 Al Smith, Montana Trial Lawyers Association (MTLA)

00:43:30 Jim Hunt, MTLA

Informational Testimony: None

Questions from Committee Members and Responses:

00:45:40 Chairman Balyeat

00:45:53 Rep. Fitzpatrick, defer, without objection

00:47:12 Mr. Taylor, MHA

00:47:56 Sen. Tropila

00:48:46 Mr. Brown, MHA

00:50:16 Sen. Facey

00:50:37 Sen. Tropila

00:51:32 Rep. Fitzpatrick

00:52:45 Sen. Vuckovich

00:52:52 Rep. Fitzpatrick, defer, without objection

00:53:25 Chairman Balyeat

00:53:30 Mr. Taylor

00:54:30 Sen. Tropila

00:55:18 Mr. Taylor

00:55:54 Chairman Balyeat

00:58:09 Sen. Facey

00:58:25 Sen. Mowbray

Closing by Sponsor:

00:58:53 Rep. Fitzpatrick

HEARING ON HB 555

Opening Statement by Sponsor:

01:00:19 Rep. Steve Fitzpatrick (R), HD 20, opened the hearing on HB 555, Providing for non-duplication of health insurance benefits.

EXHIBIT(bus59a06)

01:07:42 Chairman Balyeat

Proponents' Testimony:

01:07:58 Mike Sehestedt, Montana Association of Counties (MACo)

01:11:48 Sen. Jackson arrived.

01:13:02 Jon Bennion, Montana Chamber of Commerce

01:14:28 Alan Hulse, Montana Municipal Interlocal Authority (MMIA)

EXHIBIT(bus59a07)

01:16:13 Connie Welsh, Director, Montana University System Benefit Plan

01:22:27 Aimee Grmoljez, Montana Bankers Association (MBA)

01:23:05 Mark Taylor, Benefis Health System

01:23:57 Blake Robertson, student lobbyist, Associated Students of Montana State University (ASMSU-Billings), also speaking for other student lobbyists in Montana University System

01:25:02 Jim Edwards, Montana Schools Health and Welfare Plan (MSHWP)

01:25:28 Russ Hill, Health Care and Benefits Plan, Department of Administration (DOA)

01:28:06 Riley Johnson, National Federation of Independent Business (NFIB)

01:28:41 Susan Witte, Allegiance Life and Health Insurance Company (ALHIC), Allegiance Benefit Plan Management

01:30:26 Bob Olsen, Montana Hospital Association (MHA)

01:32:16 Tanya Ask, New West Health Services (NWHS)

01:32:59 Erin MacLean, Montana Medical Association (MMA)

01:34:52 Frank Cote, Blue Cross Blue Shield of Montana (BCBS)

01:38:14 Tom Schneider, Montana Public Employees Association (MPEA)

01:38:54 Jacqueline Lenmark, Montana Comprehensive Health Association (MCHA), American Insurance Association (AIA); also speaking for Greg VanHorsen, State Farm Insurance (SFI); Bruce Spencer, Property Casualty Insurers Association of America (PCIAA); Jon Metropoulos, Farmers Insurance Group (FIG)

Opponents' Testimony:

01:42:28 Jim Hunt, Montana Trial Lawyers Association (MTLA)

EXHIBIT(bus59a08)

01:55:00 Tyson Pallister, self, owner of former business, TP Plumbing and Heating

01:57:15 Sen. Tutvedt arrived.

01:59:13 Sen. Tutvedt left the room.

02:02:16 Pat Fox, self, Helena lawyer
 02:10:41 Elissa Erickson, self, student at Montana State University (MSU), Bozeman
 02:11:42 Sen. Tutvedt returned.
 02:13:44 Al Smith, MTLA

Informational Testimony: None

Questions from Committee Members and Responses:

02:25:40 Sen. Facey
 02:25:53 Mr. Hill, DOA
 02:26:24 Sen. Tutvedt
 02:27:14 Mr. Cote, BCBS, redirect, without objection
 02:28:03 Mike McMahon, lawyer, BCBS
 02:29:35 Sen. Steinbeisser
 02:29:55 Mr. Cote
 02:31:31 Chairman Balyeat
 02:31:36 Mr. Cote
 02:32:06 Ms. Murdo
EXHIBIT(bus59a09)
 02:32:27 Chairman Balyeat
 02:36:38 Mr. Cote
 02:37:08 Sen. Facey
 02:37:26 Mr. Sehestedt, MACo; redirect, without objection
 02:38:45 Mr. Hunt, MTLA
 02:39:26 Sen. Mowbray
 02:39:33 Ms. Welsh, MSU
 02:41:56 Sen. Tropila
 02:42:51 Mr. Cote
 02:44:10 Sen. Tropila
 02:47:00 Mr. Hunt
 02:48:09 Sen. Moore
 02:48:14 Mr. Hunt
 02:50:18 Sen. Facey
 02:50:38 Mr. Hunt
 02:50:54 Sen. Tropila
 02:51:01 Mr. Hunt
 02:51:36 Chairman Balyeat
 02:54:28 Mr. Cote
 02:54:42 Sen. Tutvedt
 02:54:47 Mr. Smith, MTLA
 02:57:17 Chairman Balyeat
 02:57:42 Mr. Cote
 02:58:23 Chairman Balyeat, redirect, without objection
 02:58:29 Ms. Witte, ALHIC
 02:59:41 Sen. Tutvedt
 02:59:53 Ms. MacLean, MMA
 03:01:52 Chairman Balyeat

03:04:18 Ms. Ask, NWHS
03:04:27 Chairman Balyeat, redirect, without objection
03:04:33 Ms. Welsh
03:05:18 Chairman Balyeat
03:05:27 Sen. Tutvedt
03:05:33 Ms. Ask

Closing by Sponsor:

03:06:13 Rep. Fitzpatrick
03:10:52 Chairman Balyeat

ADJOURNMENT

Adjournment: 12:17 P.M.

Linda Keim, Secretary

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Additional Documents:

EXHIBIT([bus59aad.pdf](#))